

OCA FME

OCA 88-1445  
9 May 1988

*Rep Schroeder*  
*OSC*

MEMORANDUM FOR: Deputy Director for Administration

FROM: [REDACTED] Congressional Affairs

SUBJECT: Meeting with Staff from Subcommittee on  
Federal Services to Argue CIA Exemption  
from Whistleblowers Act (S.508) and  
Commercial Activities Act (S.909).

1. Today, [REDACTED] Legislation Division, OCA, and the undersigned met with Kirk Robertson and Kimberly Weaver from the majority side of the Subcommittee on Federal Services, Post Office, and Civil Service and an unidentified staffer from the minority side to argue the case for exemption to a possible House floor amendment to the Whistleblowers Act (S.508) and for an Intelligence Community exemption to the Commercial Activities Act (S.909).

2. We informed the staffers that the Rep. Schroeder (D-CO), Chairman of the House Civil Service Subcommittee intended to introduce an amendment to the Whistleblowers Act during floor debate. This amendment would permit the Merit Systems Protection Board to challenge and review an Agency decision to deny or revoke the security clearance of an employee. We explained that while the House intended to wait action on the Bill pending Senate action we were concerned about the implications for the Agency should the Schroeder amendment appear in the Senate version. The staff reported that the Senate Subcommittee had no like provision and that they were confused as to why Schroeder would suggest this change. They agreed that would talk with their House counterparts to determine the basis for the amendment and to consider offering the Agency relief. Hughes advised the staff that should they not work out an accommodation with the House the change would result in a Conference. They agreed that a Conference on this item was to be avoided. I believe that they will look into our problems, but I am uncertain we will get any help during the mark-up of 19 May. At least we have alerted this Senate staff to our problem and should there be a Conference gained their understanding.

We then explained our problems with the Commercial Activities Act, emphasizing the complications to our [REDACTED]

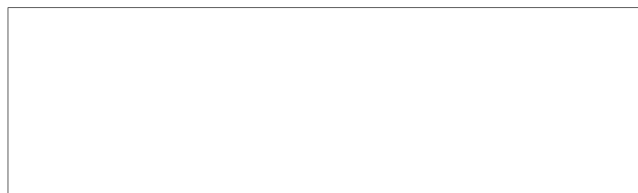
[REDACTED]  
programs. We received a receptive audience here. They agreed we had a strong case and that they were prepared to support an

~~ADMINISTRATIVE/INTERNAL USE ONLY~~

ADMINISTRATIVE/INTERNAL USE ONLY

Intelligence Community exemption. They will write a letter to Senator Reid (D-NV), sponsor of the Bill, and to Senator Pryor, Chairman of the Federal Services Subcommittee outlining Agency concerns and recommending that an amendment be introduced during mark-up to exempt the Intelligence Community entirely. Hughes provided a copy of the language for the amendment. This one I think we have fixed. I will report the fix to Britt Snider of the SSCI staff so that he is aware of the agreement.

STAT



cc: D/OCA  
D/OP  
DD/CAP/OP

STAT  
STAT

D/OL [redacted]  
OGC, [redacted]  
PD/OL, [redacted]  
D/OF [redacted]  
OF [redacted]  
OCA/LD, [redacted]  
IC Staff, [redacted]

STAT  
STAT  
STAT

ADMINISTRATIVE/INTERNAL USE ONLY